

## REMARKS

Claims 1, 2, 3 and 26 have been amended. Claims 28 and 29 have been newly added. Claims 23 and 24 have been canceled. Support may be found in claims 2, 3 and 24, and at page 7, line 27. No new matter has been added. Entry is requested.

Claims 1-3, 8, 10, 12, 13 and 22-25 and 27 are rejected under 35 U.S.C. § 102 (b) as being anticipated by Mehaffy et al. (EP 0934990A1).

While Mehaffy's paragraphs 0008 and 0033 recite hot melt adhesives that may be "applied at temperatures between 200° to 300°F", there is no disclosure or exemplification of an adhesives applied at a temperature of below 250°F which has a bonded heat stress value that is separated from the application temperature by not more than 100°F, as required in applicants' claim 1, let alone an adhesive that is applied at a temperature of about 200°F, as required in applicants' claim 2, or an adhesive that is applied at or blow 200, as required in applicants' claim 3.

Mehaffy's Table I report heat stress values of adhesives applied at 250°F. The adhesives reported in Table I have heat stress values vary from 115-125°F when the adhesive is applied at 250°F. While the examiner has acknowledged that the difference in the application temperature and the heat stress reported in Table I is more than that claimed by applicants, the examiner urges that such adhesives are disclosed by Mehaffy as being able to be applied at temperatures down to 200°F. Applicants disagree that if the adhesives reported in Table I are applied at 200°F that the difference in the application temperature and the heat stress would be less than 100°F as claimed by applicants.

It is well known in the art that the heat stress values are dependent upon the application temperature. Although Mehaffy's exemplified adhesive has a heat stress value of 115°F when applied at 250°F, a skilled artisan would recognize that the heat stress value would differ when the same adhesive is applied at temperature below 250°F, or applied at a temperature of about 200°F, or applied at a temperature at or below 200°F. A skilled artisan understands that as the application temperature of an adhesive decreases, the heat stress value also decreases. Hence, the difference between the heat stress value and the adhesive application temperature would be greater than that reported by Mehaffy's adhesives are applied at temperature lower than 250°F.

In contrast to Mehaffy's adhesives, applicants' have shown that adhesives can be formulated that can maintain a temperature separation of 100°F or less between the application temperature and the adhesive heat stress value. The Examiner's position that Mehaffy discloses *the same adhesive composition* as the instant application and thus will have the same heat stress value is without merit. Mehaffy fails to teach any hot melt adhesive composition that is applied below 250°F and wherein the bonded adhesive heat stress value and the adhesive application temperature are separated by 100°F or less. Applicants' adhesives are not anticipated by Mehaffy.

Withdrawal of the Section 102 rejection of claims 1-3, 8, 10, 12 and 13 over the Mehaffy reference is requested.

Claims 5, 26 and 27 are rejected under 35 U.S.C. § 102 (b) as anticipated by or, in the alternative, under 35 U.S.C. § 103 (a) as being obvious over Mehaffy et al.

For the reasons set forth above, applicants submit that the disclosure of Mehaffy neither

discloses nor suggests a hot melt adhesive that can be applied at a temperature of less than 250°F, has a viscosity between about 800 cps and 1500 cps at the adhesive application temperature, wherein the bonded adhesive heat stress value and the adhesive application temperature are separated by 100°F, let alone a hot melt adhesive that is also thermally stable at application temperature for a period of one hundred hours as indicated by a viscosity change within plus/minus ten percent of the original application viscosity, as required by applicants' claims 5, 26 and 27.

Withdrawal of the Section 102 and Section 103 rejections of the claims 5, 26 and 27 over the Mehaffy reference is requested.

Claims 4 and 9 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Mehaffy et al.

Again, and for the reasons set forth above, applicants submit that the disclosure of Mehaffy would not suggest to one of ordinary skill in the art an adhesive that can be applied at a temperature of less than 250°F, has a viscosity between about 800 cps and 1500 cps at the adhesive application temperature, wherein the bonded adhesive heat stress value and the adhesive application temperature are separated by 100°F or less, let alone a hot melt adhesive that, when analyzed by differential scanning calorimeter from application temperature to room temperature at a cooling rate of 150°C/min, yields a time between initial cooling and crystallization of 0.35 minutes or greater, as required in applicants claim 4. While claim 9 has been included in this rejection, claim 9 was previously canceled.

Withdrawal of the Section 103 rejection of the claim 4 over the Mehaffy reference is

requested.

Claims 6 and 7 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Mehaffy et al. in view of Baetzold et al. (U.S. 5,827,913). Baetzold is directed to encapsulating an ingredient in a hot melt adhesive composition. Baetzold teaches that the encapsulated ingredient may be any known hot melt adhesive formulation ingredient or additive such as antioxidants and fragrances (abstract). The disclosure of Baetzold adds nothing to the disclosure of Mehaffy which would motivate the skilled artisan to formulate an adhesive that can be applied at a temperature below 250 and which are able to withstand stress at temperatures substantially closer to the temperature of the adhesive's application temperature then heretofore achieved in the art, i.e., the bonded adhesive heat stress value and the adhesive application temperature are separated by 100°F or less.

Withdrawal of the Section 103 rejection of claims 6 and 7 based on Mehaffy in view of Baetzold is requested.

Favorable action is requested.

Respectfully submitted,

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